

### **DETAILED ACTION**

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 2 recites the limitation "...predetermined contents transmitted from the server by the receiver..." in the last line of the claim. There is insufficient antecedent basis for this limitation in the claim.

It is uncertain if that receiver is the same receiver as the content receiver claimed earlier in the claim.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**5. Claims 2-6, 11, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Antilla et al (US 6721542; hereinafter Anttila).**

Regarding claim 2, Anttila discloses a signal processing system for a wireless communication signal that uses a mobile terminal device, a server, and a network base station transmitting the wireless communication signal (Col 2, lines 38-55),

wherein the mobile terminal device has a network communicator (transmitter), a content receiver (receiver) and a decision button for indicating a decision not to transmit the wireless communication signal to the network base station in exchange for receiving predetermined contents transmitted from the server (simultaneous reception and transmission is prevented: Col 8, lines 17-20; therefore, the transmitter is off when the receiver is receiving content Col 7, lines 8-14), and

when the decision button has been activated, the wireless communication signal is not transmitted by the network communicator to the network base station, in exchange for receipt of predetermined contents transmitted from the server by the receiver (simultaneous reception and transmission is prevented: Col 8, lines 17-20; therefore, the transmitter is off when the receiver is receiving content Col 7, lines 8-14).

Regarding claim 3, Anttila discloses the signal processing system according to claim 2, wherein the wireless communication signal is a program for telephone communication used when the mobile terminal device makes telephone communication with other mobile terminal device using the network communicator (Col 6, lines 49-51).

Regarding claim 4, Anttila discloses the signal processing system according to claim 2, wherein the predetermined contents are transmitted in a place where the use of the network communicator is limited, whereby the prevention of the use of the network communicator is promoted, so that the image of an enterprise administering the system can be improved (limiting mobile usage in places like hospitals, place of worship or conference room: Col 6, lines 55 – Col 7, lines 14).

Regarding claim 5, Anttila discloses the signal processing system according to claim 2, wherein the predetermined contents are transmitted in a place where the use of the network communicator is limited, whereby the prevention of the use of the network communicator is promoted, so that rigid adherence to manners can be achieved (Col 7, lines 8-14).

Regarding claim 6, Anttila discloses the signal processing system according to claim 2, wherein the predetermined contents are transmitted in a place where the use of the network communicator is limited, whereby the prevention of the use of the network communicator is promoted, and the prevention of annoyance to other people and the

rigid adherence to or compliance with manners are achieved, so that the image of an enterprise administering the system can be improved (Col 7, lines 1-7).

Regarding claim 11, Anttila discloses a mobile terminal device (Fig. 3; Col 7, lines 54+) comprising:

a network communicator configured to transmit a wireless communication signal to a network base station (transmitter: Col 8, line 4);

a content receiver configured to receive a content transmitted from a server (receiver: Col 8, line 5); and

a decision button configured to indicate a decision not to transmit a wireless communication signal to the network base station in exchange for receiving a content transmitted from the server (button on the mobile device: Col 6, lines 28-35; the mobile device detected in a vicinity downloads applications for use on the mobile: Col 7, lines 8-14; and since simultaneous reception and transmission is prevented: Col 8, lines 17-20; therefore, the transmitter is off when the receiver is receiving content Col 7, lines 8-14),

wherein responsive to the decision button being activated, transmissions of the wireless communication signal to the network base station by the network communicator are prohibited, and the content transmitted from the server is received by the content receiver (simultaneous reception and transmission is prevented: Col 8, lines 17-20; therefore, the transmitter is off when the receiver is receiving content Col 7, lines 8-14).

Regarding claims 13 and 14, Anttila discloses the system wherein:

the server is a system other than a network base station (the downloaded data usually comes from the server is the network server via a serving base station (known in the art) of the mobile device: Fig.1, no. 108;);

Anttila discloses all the particulars of the claim but might be unclear on the network communicator is configured to transmit and receive the wireless communication signal to and from the network base station; and

the content receiver dose not transmit and receive any wireless communication signal to and from the network base station.

However, Dowling does disclose

the network communicator is configured to transmit and receive the wireless communication signal to and from the network base station (Fig. 1, wherein the mobile unit communicates with base station via connection 110); and

the content receiver dose not transmit and receive any wireless communication signal to and from the network base station (the mobile's WLAN receiver communicating via antenna 145 to WLAN 150).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Dowling's disclosure to provide shot-range communication capability.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**7. Claims 1, 7-9, and 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Antilla in view of Dowling (US 7035932).**

Regarding claim 1, Antilla discloses a program received in, and for execution by, a mobile terminal device, wherein the mobile terminal device has a first communicator that transmits and receives a wireless communication signal to and from a network base station (Col 8, lines 4-5: the transceiver unit communicating with server network: Col5 , lines 35-37), a second communicator that receives contents and does not transmit the wireless communication signal (memory receiving downloaded data/content to be stored and executed: Col 7, lines 8-14; Col 8, lines 33-50: the memory), and a button, wherein when the button is activated (Col 6, lines 28-30: a button attached to the mobile), the program is received by the second communicator from a server other than the network base station, in exchange for the wireless communication signal being unable to be transmitted from first communicator (simultaneous reception and transmission is prevented: Col 8, lines 17-20; therefore, nothing is transmitted when the receiver is downloading data/content Col 7, lines 8-14).

Anttila discloses all the particulars of the claim except wherein the program is received by the second communicator from a server other than the network base station.

However, Dowling does disclose the limitation wherein the program can be received by the second communicator from a server other than the network base station (such as WLAN: Fig. 1, no. 150: Col 6, lines 4-30).

It would have been obvious to one ordinarily skilled in the art at the time of invention to incorporate Dowling's disclosure to provide short-range communication with the mobile.

Regarding claim 7, Anttila discloses the program according to claim 1, when executed by the mobile terminal device, controlling the mobile terminal device to display the name of a distributor of the program on a display screen of the mobile terminal device (menu of applications available: Col 7, lines 11-13).

Regarding claim 8, Anttila discloses the program according to claim 1, when executed by the mobile terminal device, controlling the mobile terminal device to perform the steps of:

prohibiting the transmission of a call signal and/or a mail communication signal from the mobile terminal device first communicator; and starting applications viewable in the mobile terminal device, wherein, when the program has been received in the mobile terminal device, calls and/or mail communication by the mobile terminal device first

communicator are prohibited (simultaneous reception and transmission is prevented: Col 8, lines 17-20; therefore, the transmitter is off when the receiver is receiving content Col 7, lines 8-14).

Regarding claim 9, Anttila discloses the program according to claim 1, when executed by the mobile terminal device, controlling the mobile terminal device to perform the step of prohibiting the transmission of a call signal and/or a mail communication signal, wherein, when the program has been received in the mobile terminal device, calls and/or mail communication by the mobile terminal device first communicator are prohibited, and in exchange, contents viewable in the mobile terminal device are added (simultaneous reception and transmission is prevented: Col 8, lines 17-20; therefore, the transmitter is off when the receiver is receiving content Col 7, lines 8-14).

Regarding claim 12, Dowling discloses the program of claim 1, wherein the second communicator does not transmit and receive and wireless communication signal to and from the network base station (Col 6, lines 4-30, Fig. 1: WLAN communicates to mobile's antenna 145 instead of the 110 antenna, which communicates to the base station).



**Conclusion**

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Himmel et al. (US 6961561)**: A method for a central control computer, located within a given environment, to wirelessly communicate with, control and enhance the use of various mobile electronic devices entering the given environment. Furthermore, enhancements are provided by making available substitute features for the features of the mobile electronic device that were limited or disabled and by making available features not contained within the mobile electronic device itself.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Huynh whose telephone number is 571-272-7866. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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